

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:09-CV-23-BR

MORRIS & ASSOCIATES, INC.,)
)
Plaintiff,)
)
v.)
)
COOLING & APPLIED)
TECHNOLOGY, INC.,)
)
Defendant.)

ORDER

This matter comes before the Court on Plaintiff's Motion to Seal [DE-99] which asks this Court to seal Exhibit T (Tyson Lab Report OzCAT failed) to Plaintiff's Reply in support of its Motion for Summary Judgment [DE-94-5]. Defendant consents to this Motion. The Court finds that Exhibit T contains confidential and proprietary information which could be harmful to non-party Tyson Foods, Inc. if revealed to the marketplace. This risk of harm outweighs any public right to access and the alternatives to sealing are inadequate. For the reasons set forth in Plaintiff's Motion and pursuant to the Court's Joint Protective Order, the Court finds good cause to grant Plaintiff's Motion to Seal [DE-99].

This the 1st day of December, 2010.


DAVID W. DANIEL
UNITED STATES MAGISTRATE JUDGE